

To: Sarah Flanagan/R2/USEPA/US@EPA[]
Cc: "Hyatt, Jr., William" [william.hyatt@klgates.com]
From: "Mack, Karyllan Dodson"
Sent: Fri 7/20/2012 5:32:30 PM
Subject: RE: LPRSA RM 10.9 Trust Agreement
<mailto:Flanagan.Sarah@epamail.epa.gov>
<mailto:Flanagan.Sarah@epamail.epa.gov>
[Hotspot](#)
karyllan.mack@klgates.com
www.klgates.com
[ATT00001.jpg](#)

Thanks Sarah.

From: Sarah Flanagan [mailto:Flanagan.Sarah@epamail.epa.gov]
Sent: Friday, July 20, 2012 1:08 PM
To: Mack, Karyllan Dodson
Cc: Hyatt, Jr., William
Subject: RE: LPRSA RM 10.9 Trust Agreement

Thank you! You can rest assured that as far as I am concerned, this constitutes compliance with the requirements of the AOC.

Sarah P. Flanagan
Office of Regional Counsel, NJ Superfund Branch
USEPA, Region 2
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136
Fax: 212-637-3096

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From: "Mack, Karyllan Dodson" <Karyllan.Mack@klgates.com>
To: Sarah Flanagan/R2/USEPA/US@EPA
Cc: "Hyatt, Jr., William" <william.hyatt@klgates.com>
Date: 07/20/2012 01:02 PM
Subject: RE: LPRSA RM 10.9 Trust Agreement

Sarah,

I have all of the signature pages. I will send a pdf of the fully executed Trust Agreement later today.

Karyllan

From: Sarah Flanagan [mailto:Flanagan.Sarah@epamail.epa.gov]
Sent: Thursday, July 19, 2012 5:35 PM
To: Mack, Karyllan Dodson
Cc: Hyatt, Jr., William
Subject: RE: LPRSA RM 10.9 Trust Agreement

Karyllan,

Thanks for the update.

-Sarah

Sarah P. Flanagan
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From: "Mack, Karyllan Dodson" <Karyllan.Mack@klgates.com>
To: Sarah Flanagan/R2/USEPA/US@EPA
Cc: "Hyatt, Jr., William" <william.hyatt@klgates.com>
Date: 07/19/2012 04:37 PM
Subject: RE: LPRSA RM 10.9 Trust Agreement

Sarah,

Unfortunately, we still have not received a signature page from one of our Members. However, I have been told it will be here tomorrow and, in the interim, we have collected information that has allowed US Bank to perform some of their due diligence in advance of receiving the signature page. Therefore, I believe we can get you everything tomorrow.

Regards,
Karyllan

From: Sarah Flanagan [mailto:Flanagan.Sarah@epamail.epa.gov]
Sent: Wednesday, July 18, 2012 4:04 PM
To: Mack, Karyllan Dodson

Cc: Hyatt, Jr., William
Subject: Re: LPRSA RM 10.9 Trust Agreement

Karyllan,

Thank you for the information about the Trust Agreement. The document looks good.

Under the circumstances, i.e., that the signature pages have all been collected (or will have been collected by the end of the day) and you are just waiting for US Bank to complete due diligence under the Patriot Act so it can sign, I think the Settling Parties have met the intent of the AOC provision requiring financial assurance to be established within 30 days. On the other hand, I would not like the bank to relax, thinking that the pressure is off. Please keep me posted about US Bank's process, particularly if you think there is any possibility they won't be able to sign tomorrow.

Thanks,
-Sarah

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From: "Mack, Karyllan Dodson" <Karyllan.Mack@klgates.com>
To: Sarah Flanagan/R2/USEPA/US@EPA
Cc: "Hyatt, Jr., William" <william.hyatt@klgates.com>
Date: 07/18/2012 03:44 PM
Subject: LPRSA

Sarah,

As we discussed, we have collected 69 of the 70 RM 10.9 Trust Fund Agreement signature pages. I have been promised the 70th will arrive at any moment. However, even if we receive the final signature page this afternoon, US Bank will not be able to sign today since they have to perform their due diligence under the Patriot Act. Hopefully, this can get wrapped up tomorrow. I can send you the current package we have compiled or wait until it is complete. Please let me know your preference.

Also, attached is the current draft of the Trust Agreement, which incorporates a comment from US Bank and includes the Appendices.

Thanks,
Karyllan

Karyllan Dodson Mack
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[attachment "NW-#410455-v1-July_2012_Trust_Agreement.DOC" deleted by Sarah Flanagan/R2/USEPA/US]